STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: (TP1218/2025) LU/19286
Our File Reference Number: Erf 940, Franschhoek
Your Reference Number:
Enquiries: Ulrich von Molendorff
Contact No: 021 – 808 8682
Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MA [redacted]

Sir /Madam

APPLICATION FOR CONSENT USE ON ERF 940, FRANSCHHOEK

1. The above application refers.

2. The duly authorised decision maker has decided on the above application as follows.

3. That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Bylaw on Erf 940, Franschhoek for:
   (i) **Consent Use** in terms of Section 15 (2)(o) of the said bylaw in order to utilise the existing two (2) bedrooms dwelling unit as tourist dwelling unit.

BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval.

3.1. The approval is subject to the following conditions imposed in terms of Section 66 of said Bylaw:

a) The approval only applies to the proposed application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.
b) The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.
c) The tourist dwelling unit be limited to **two (2) bedrooms** and maximum of 4 paying guests or lodgers shall be permitted at any one time.
d) The consent use (for self-catering use of the subject dwelling unit) hereby approved be valid for **5 years**, which consent use may on application be extended for further consecutive periods of 5 years.

e) A contravention penalty in accordance with the prevailing and applicable Council Tariffs in respect of the unlawful utilisation of land is payable with 30 days from the date of final notification that the approval comes into operation and prior to the approval of any building plan.

f) Guest bedrooms are not converted to or be used as separate dwelling units and no area be set aside for the preparation of meals.

g) The Consent Use for the self-catering use of the subject dwelling unit is attached to the owner or occupant of the dwelling unit at the time of approval and will lapse upon the transfer of ownership or occupation of the dwelling unit.

h) To ensure that two vehicles can be properly accommodated on site within the allocated parking area, a sliding gate be installed in place of the existing gate.

i) Guest shall not park on the street; all parking must be confined within the property boundaries.

j) The land use to not create any undue noise or be a nuisance to the neighbourhood and that precautionary measures be taken to avoid environmental noise pollution in terms of the Western Cape Noise Regulations, 2013, PN.200/2013 made in terms of Section 25 of the Environmental Conservation Act, 1989(Act No 73 of 1989)

3.2. The **reasons** for the above decision are as follows:

a) The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape.

b) The proposal is in line with the existing land use of the property, and the primary use of the property will remain residential.

3.3. **Matters** to be noted :

3.3.1. Should, after following due process-

i. The subject approved land use remains in breach of complying with any of the conditions of approval required for the vesting of the subject approval, and / or,

ii. The operational use of the facilities be in breach of any of the conditions of approval, inclusive of persistent complaints of undue noise levels, and or/ or,

iii. The property be used for any unauthorised uses not permitted in terms of this approval.

iv. The authorised official of the Municipality will exercise its discretion in terms of Section 90(c) of the Municipal Land use Planning By-law to withdraw the subject approval granted and the building structures to be reverted to uses in line with the primary use of the property.

4. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw of your right to appeal the above decision to the Appeal Authority within 21 days

from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.

5. Appeals must be submitted by completing the required form with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law.
6. **Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address: landuse.appeals@stellenbosch.gov.za**

7. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.

8. The appeal form and approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@stellenbosch.gov.za or 021- 808 8684.

9. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:

    (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
    (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
    (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
    (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.

10. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

11. Kindly note the above decision in the case of any approval, is suspended, and may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised, and you've been advised accordingly.

Yours faithfully

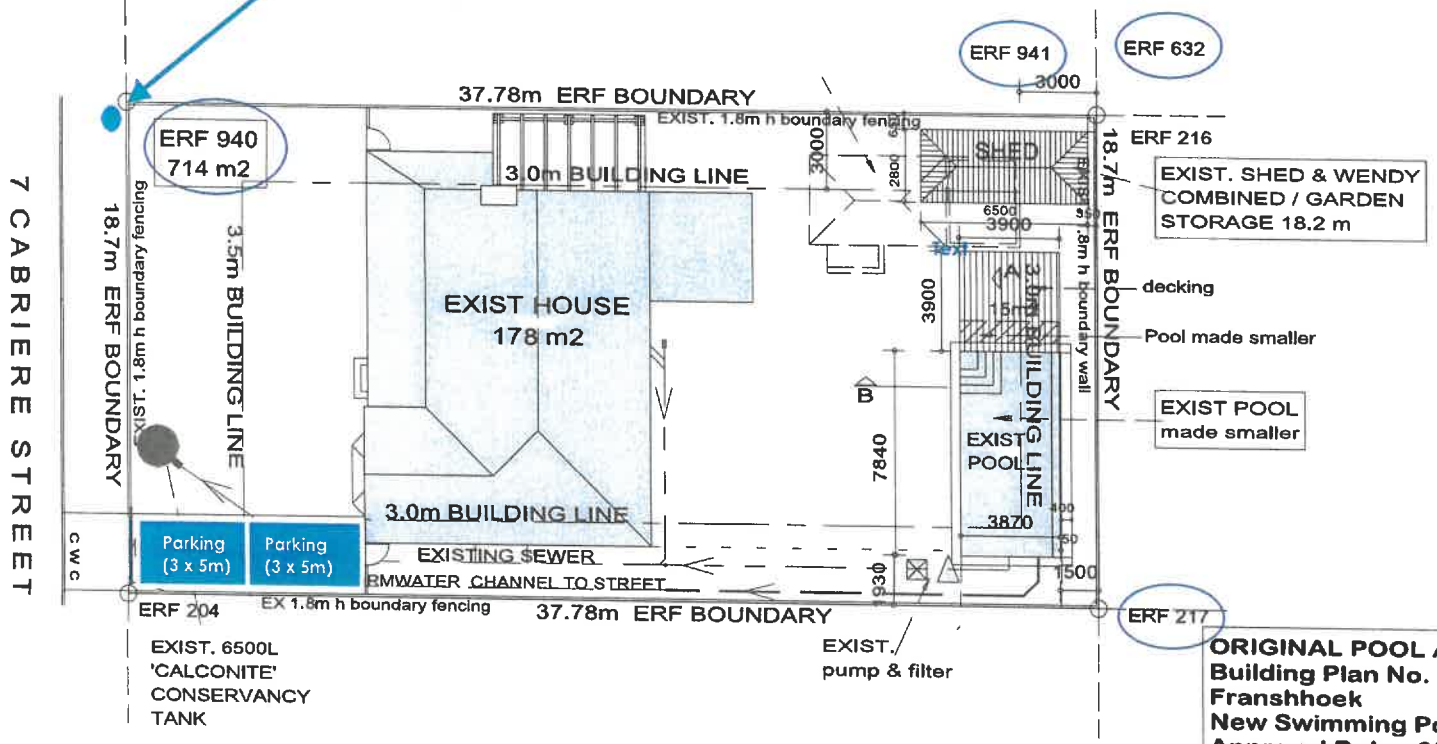
FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

10/4/2026
DATE

CITY OF CAPE TOWN

Water Supply (position of water meter)
Stellenbosch Account Number: 10952135

Revised Plan showing 2 parking spaces (6 February 2026)



1:200 SITE & PLAN LAYOUT

AREAS:
ERF - 416 m2

EX. HOUSE - 178 m2
EX OUTBUILDING - 30 m2

NEW POOL - 13 m2

H4 -DWELLING

ZONING - SR1

[redacted]

ORIGINAL POOL APPROVED:
Building Plan No. 1212/2021
Franshhoek
New Swimming Pool
Approval Date - 05/11/2021

[redacted]

Project
ALTERATIONS to
POOL & EXIST. SHED

PLAN LAYOUT & POOL DETAIL

Scale / Skaal	Date / Datum
1:100 - A3	MARCH 2022
Drawn / Geteken	Drawing / Tekening
gm hougaard	241 - 100